

**Enrolled Minutes of the Eighty-Seventh Regular or Special Meeting  
For the Twenty-Sixth Highland Town Council  
Regular Meeting  
Monday, July 11, 2011**

*Study Session.* The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, July 11, 2011 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

**Silent Roll Call:** Councilors Bernie Zemen, Mark Herak, Dan Vassar, Konnie Kuiper, and Brian Novak were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council discussed the imminent agenda of the regular meeting.
2. The Town Council discussed the Enactment No. 2011-27 which is an item on the agenda.
3. The Town Council discussed the status of Andrew Hein, a member of the Town Board of Metropolitan Police Commissioners, who recently relocated to the City of Carmel, Indiana, particularly whether or not his relocation created a vacancy. It was noted that the enabling law is silent on the issue of the residency of members of the Town Board of Metropolitan Police Commissioners.

The study session ended at 6:59 O'clock p.m.

*Regular Meeting.* The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, July 11, 2011 at 7:01 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Council President Brian Novak, presided and the Town Clerk-Treasurer was present to memorialize the proceedings. The meeting was opened with Councilor Bernie Zemen reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Konnie Kuiper and Brian Novak. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; Kenneth J. Mika, Building Commissioner; William R. Timmer, CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were present.

**Also Present:** Dennis Adams of the Town Board of Metropolitan Police Commissioners; and Peggy Glennie of the Select Centennial Commission were also present.

**Minutes of the Previous Session**

The minutes of the regular meeting of 27 June 2011 were approved by general consent.

**Communications:**

1. **Controlled Event Permit Request.** Action regarding a letter presenting a request for permission to conduct a beer garden on a public way submitted by Chamber of Commerce for the Midwest Zest Fest, September 9 through September 11, 2011. *This is a controlled event under Chapter 119. Section §119.02 requires action by the Town Council in an open regular or special session. Request is timely as it is filed at least 60 days before the desired event. The Council will also need to fix the*

*amount of liability insurance, pursuant to § 119.02 (D). Pursuant to that section, the Town Council has previously directed that the applicant procure liability insurance for the event which names the Town of Highland as an additional insured in the amount of Three million dollars (\$3,000,000) and provide a certificate or proof of this insurance before the event.*

Councilor Zemen moved and Councilor Herak seconded the approval of the request and to grant a Controlled Event Permit to the Highland Chamber of Commerce, with the Chamber providing additional insured coverage in the amount of \$3,000,000. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Herak and Novak voting in the affirmative and Councilors Vassar and Kuiper voting in the negative, the motion passed. The permit was approved and granted.

2. **Controlled Event Permit Request.** Action regarding written request for permission to conduct a beer garden on a public property submitted by Growlers on Highway for its Fourth Anniversary Celebration, Saturday, August 27, 2011. The public property is the parking lot owned by the Town of Highland, Redevelopment department. *This is a controlled event under Chapter 119. Section §119.02 requires action by the Town Council in an open regular or special session. Request is timely as it is filed at least 60 days before the desired event. The Council will also need to fix the amount of liability insurance, pursuant to § 119.02 (D). Pursuant to that section, the Town Council has previously directed that the applicant procure liability insurance for the event which names the Town of Highland as an additional insured in the amount of Three million dollars (\$3,000,000) and provide a certificate or proof of this insurance before the event.*

Councilor Zemen moved and Councilor Herak seconded the approval of the request and to grant a Controlled Event Permit to the Growler of Highway Avenue, with Growlers providing additional insured coverage in the amount of \$3,000,000. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Herak and Novak voting in the affirmative and Councilors Vassar and Kuiper voting in the negative, the motion passed. The permit was approved and granted.

**Staff Reports:** The Council received the following reports as information for the record:

• **Building & Inspection Report for June 2011**

Permit Type	Number.	Residential	Commercial	Est. Cost	Fees
Commercial	0	0	0	\$0.00	\$0.00
Buildings:					
Commercial	7	0	7	\$72,521.00	\$1,849.50
Additions or					
Remodeling:					
Signs:	7	0	7	\$12,832.00	\$1,710.00
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential	0	0	0	\$0.00	\$0.00
Additions:					
Residential	84	84	0	\$813,006.00	\$8,724.50
Remodeling:					
Garages:	2	2	0	\$29,605.00	\$732.00
Sheds:	3	3	0	\$2,450.00	\$279.50
Decks & Porches:	17	17	0	\$31,689.00	\$2,645.50
Fences	21	21	0	\$39,626.00	\$1,916.00
Swimming pools:	13	13	0		\$949.00
Drain Tile	2	2	0	\$7,452.00	\$212.00
/Waterproofing					
Misc.	4	4	1	\$0.00	\$310.50
<b>Total:</b>	<b>160</b>	<b>146</b>	<b>14</b>	<b>\$1,009,216.00</b>	<b>\$19,328.50</b>
<b>Electrical</b>	<b>26</b>	<b>23</b>	<b>3</b>		<b>\$2,118.50</b>
<b>Permits</b>					
<b>Mechanical</b>	<b>16</b>	<b>16</b>	<b>0</b>		<b>\$1,229.00</b>
<b>Permits</b>					
<b>Plumbing</b>	<b>12</b>	<b>1</b>	<b>11</b>		<b>\$1,232.50</b>
<b>Permits</b>					
<b>Water Meters</b>	<b>3</b>	<b>0</b>	<b>3</b>		<b>\$1,205.00</b>
<b>Water Taps</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>\$0.00</b>
<b>Sewer/Storm</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>\$0.00</b>

<b>Taps</b>				
<b>Total Plumbing Permits:</b>	15	1	14	\$1,749.00

**June Code Enforcement:**

Warnings: 171  
Citations: 08

**June Inspections:**

Building: 74      Electrical: 54      Plumbing: 20      Electrical Exams: 0

**• Fire Department Report for June 2011**

	Month	Y.T.D.
General Alarms	12	59
Car Fires	2	7
Still Alarms	5	26
Paid still alarms	2	
<b>Total:</b>	21	

**• Workplace Safety Report for June 2011**

There was one incident in June. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2011	Total in 2010	Restricted Days 2011	Lost Workdays This Year	Restricted Days Last Year (2010)	Lost Workdays Last Year (2010)
Parks	0	0	2	0	0	25	3
Fire	0	0	2	0	0	0	0
Police	0	2	9	0	0	39	23
Street	1	4	1	2	0	0	0
Water & Sewer	0	1	1	27	77	88	0
Maint.	0	0	1	0	0	68	0
Other	0	2	2	0	0	0	0
<b>TOTALS</b>	1	9	18	29	77	220	26

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

**Unfinished Business and General Orders:**

- Resolution No. 2011-25:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Town Hall Department Of The Corporation General Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Kuiper moved and Councilor Vassar seconded the passage and adoption of Resolution No. 2011-25. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND  
APPROPRIATION TRANSFER RESOLUTION  
RESOLUTION NO. 2011-25**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the TOWN HALL DEPARTMENT of the CORPORATION GENERAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

**WHEREAS**, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Town Hall Department of the Corporation General Fund**;

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

**Section 2.** That it has been shown that certain existing unobligated appropriations of the **Town Hall Department of the Corporation General Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

CORPORATION GENERAL FUND

**Town Hall Department**

Reduce Account:	#360.04 Janitorial Services	\$19,600.00
	<i>Total 300 Series Reductions</i>	\$19,600.00
Increase Account:	#111.16 Custodian Wages	\$18,200.00
	#112.01 FICA/Medicare	\$1,400.00
	<i>Total 100 Series Increases</i>	\$19,600.00
	<b>Total of All Fund Decreases:</b>	<b>\$19,600.00</b>
	<b>Total of All Fund Increases:</b>	<b>\$19,600.00</b>

**DULY RESOLVED and ADOPTED** this 11<sup>th</sup> Day of July 2011 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Works Board Order No. 2011-22:** An Order Finding And Determining Certain Personal Property Of The Municipality As No Longer Needed Or Unfit For The Purposes For Which Originally Acquired And Further Authorizing And Approving The Sale Of Said Property To The General Public, As Provided By IC 5-22-22-3 (2). *(If approved this will authorize the sale of the Centennial Banners for a fee of \$10 to interested parties.)*

Councilor Kuiper moved and Councilor Herak seconded the passage and adoption of Works Board Order No. 2011-22. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**THE TOWN of HIGHLAND  
BOARD of WORKS ORDER NO. 2011-22**

**AN ORDER FINDING and DETERMINING CERTAIN PERSONAL PROPERTY of the MUNICIPALITY as NO LONGER NEEDED or UNFIT for the PURPOSES for WHICH ORIGINALLY ACQUIRED and FURTHER AUTHORIZING and APPROVING THE SALE of said PROPERTY TO THE GENERAL PUBLIC, AS PROVIDED BY IC 5-22-22-3 (2).**

**WHEREAS**, The Town Council for the Town of Highland is the Works Board of the Municipality pursuant to IC 36-1-2-24(3) and

**WHEREAS**, The Town Council has been advised by the proper officers that there are items of personal property owned by or in the possession of the municipality for at least one (1) year or longer that either are no longer needed or unfit for the purposes originally acquired; and

**WHEREAS**, The proper officers have recommended that the public sale of the personal property be authorized and further that no advertisement is required as the total value of said items is less than five thousand dollars (\$5,000) as required by I.C. 5-22-22-6 (2); and

**WHEREAS,** The Town Council now desires to favor the recommendation and take those steps necessary to authorize and approve the sale of this certain personal property of the municipality to the general public, pursuant to the applicable law,

**NOW, THEREFORE, BE IT ORDERED** by the Town Council of the Town of Highland, Lake County, Indiana:

**Section 1.** That the Town Council of the Town of Highland hereby finds and determines the following:

(a) That the special event banners, particularly acquired for display on lamp posts of the municipality to promote the centenary of the Municipality's incorporation are articles of personal property, owned by the Municipality that are no longer needed or unfit for the purposes for which they were intended;

(b) That each article of personal property has an individual estimated value of **less than** one thousand dollars (\$1,000); and

(c) That these articles of personal property together have a total estimated value of **far less than** five thousand dollars (\$5,000);

**Section 2.** That the proper officers of the municipality are hereby authorized and instructed to cause a lawful disposal of the personal property identified in this Order, by lawful method, without advertising, pursuant to IC 5-22-22-6;

**Section 3.** That the proper officers of the municipality are authorized transfer or dispose of the property for a fee of ten dollars (\$10), and are further directed to deposit the proceeds of any disposal or transfer to the credit of the *Select Centennial Commission Fund*;

**Section 4.** That the proper officers be authorized and instructed to execute this purposes and objects of this order.

**BE IT SO ORDERED.**

**DULY ADOPTED and ORDERED BY** the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11<sup>th</sup> day of July 2011 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

**3. Works Board Order No. 2011-23: Preliminary Order For The Woodward Avenue Reconstruction Project And Financing Thereof Through Municipal General Improvement Fund And Special Assessments From Property Owners Benefiting From Such Improvements.**

Councilor Herak moved and Councilor Vassar seconded the passage and adoption of Works Board Order No. 2011-23. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN OF HIGHLAND**  
Order of the Works Board No. 2011 - 23

**PRELIMINARY ORDER FOR THE WOODWARD AVENUE RECONSTRUCTION PROJECT AND  
FINANCING THEREOF THROUGH MUNICIPAL GENERAL IMPROVEMENT FUND AND SPECIAL  
ASSESSMENTS FROM PROPERTY OWNERS BENEFITING FROM SUCH IMPROVEMENTS**

**Whereas,** Pursuant to IC 36-1-2-24, the Town Council is the works board for the Town of Highland, Indiana (the "Town"); and

**Whereas,** Pursuant to Ordinance No. 1084, adopted by the Town Council on March 23, 1998, the Town has established a Municipal General Improvement Fund to provide monies to construct, repair, reconstruct or improve certain streets, alleys, sidewalks, curbs, gutters and sewers within the Town; and

**Whereas,** Several residents of the **8700-9000 blocks of Woodward** have requested consideration of the Town of Highland to install concrete curbs and to replace substandard sidewalks; and

**Whereas,** The cost for curb and sidewalk replacement shall be paid for by the adjoining property owners based upon front footage of their property through a special assessment pursuant to the Special General Improvement District statute; and,

**Whereas,** The Town Council desires to proceed with the **Woodward Avenue Reconstruction Project** and to finance the portion of the cost of such projects relating to reconstruction of curbs and sidewalks (each such portion of a project, an "Improvement") through the Municipal General Improvement Fund; and

**Whereas,** The Town has retained Garcia Consulting to prepare plans and specifications for the **Woodward Avenue Reconstruction Project**; and

**Whereas,** The Town desires to finance the costs of the improvements pursuant to assessments to be collected from the property owners benefited by the respective proposed improvements as set forth in IC 36-9-36.

**Now Therefore,** be it resolved by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the Town Council hereby makes a preliminary determination to proceed with the **Woodward Avenue Reconstruction Project** and to finance the cost of the improvements through the Municipal General Improvement Fund and the collection of special assessments from property owners benefited by the respective improvements pursuant to IC 36-9-36.

**Section 2.** That the Town Council hereby adopts the plans and specifications for the projects and directs the Project Engineer to place on file cross-sections, general plans and specifications for each of the improvements.

**Section 3.** That the Town Council hereby adopts the estimate of the maximum cost of each of the improvements attached hereto as **Exhibit A** and directs the Clerk Treasurer to place such estimate of maximum costs on file in the office of the Town Council.

**Section 4.** That the Town Council hereby determines to hold a public hearing regarding each of the improvements and whether the benefits that will accrue to the property liable to be assessed for the respective improvements will equal the maximum estimated cost of each of the improvements, which public hearing will be held at the regular meeting place of the Town Council at **7:00 P.M. on July 25, 2011**, and the Town Council further directs the Clerk Treasurer to publish notice of such hearing and to mail notice of such hearing to property owners affected by the respective improvements.

**Be it So Ordered.**

**Duly adopted** and ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11<sup>th</sup> day of July, 2011 by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL OF THE TOWN OF  
HIGHLAND, INDIANA

Brian J. Novak, President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer

4. **Works Board Order No. 2011-24:** An Order Authorizing and Approving a Tenth change order to the construction Contract SR-31459 related to the Cline Avenue Reconstruction Project, Northern Terminus at Ridge Road and southern Terminus at 45<sup>th</sup> Avenue, a Federal Aid Highway Project, all pursuant to IC 36-1-12-18. *(There is no net change to the over cost but will add 16 days to the completion date made necessary owing to Operating Engineers Strike from June 11, 2011 to June 28, 2011.)*

Councilor Vassar moved and Councilor Kuiper seconded the passage and adoption of Works Board Order No. 2011-24. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN of HIGHLAND  
ORDER of the WORKS BOARD NO. 2011-24

AN ORDER AUTHORIZING and APPROVING A TENTH CHANGE ORDER to the CONSTRUCTION CONTRACT SR-31459 RELATED to the CLINE AVENUE RECONSTRUCTION PROJECT, NORTHERN

**TERMINUS AT RIDGE ROAD AND SOUTHERN TERMINUS AT 45<sup>TH</sup> AVENUE, A FEDERAL AID  
HIGHWAY PROJECT, ALL PURSUANT TO IC 36-1-12-18**

**Whereas**, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has heretofore authorized and approved a public works project for street construction and other improvements in the public roadway through the assistance of federal highway aid funds, with the project commonly known as the **Cline Avenue Reconstruction Project**;

**Whereas**, In the course of the construction, reconstruction, or repair of the Cline Avenue Reconstruction Project, it has become necessary to change or alter the original specifications of the project;

**Whereas**, First Group Engineering (FGE), Incorporated, a licensed engineer performing construction engineering services on this project, at the request of the Town through its Public Works Director, has specifically identified and presented a description of such changes as one (1) proposed addendum to the original construction contract, to be known as the tenth addendum; and

**Whereas**, Addendum ten adds no net change in the amount of the contract, but does add sixteen (16) days to the completion date of the agreement owing to the Operating Engineers Strike, which began on June 13, 2011 and ended on June 28, 2011; and

**Whereas**, There are sufficient and available appropriations balances on hand to support any additional payments, if required, under the agreement, pursuant to IC 5-22;

**Whereas**, The Town of Highland, through its Town Council which is also the Board of Works, now desires to accept and issue the order for change as described;

**Now Therefore Be it hereby Ordered** by the Town Council of the Town of Highland, Lake County, Indiana;

**Section 1.** That the Tenth Addendum to the Construction Contract **SR-31459** for the **Cline Avenue Reconstruction Project**, as prepared by First Group Engineering, Incorporated, a licensed engineer performing construction engineering services on this project, is hereby determined to be directly related to the original project and is hereby approved, adopted and ratified in each and every respect;

**Section 2.** That this Tenth Addendum is hereby ordered to be known as **Change Order No. 10**, issued to add no net change to the original agreement, therefore keeping the total value of the entire agreement with any and all change orders approved to date to four million, three hundred sixty-three thousand, three hundred seventy-six dollars and eighty-four cents (**\$4,363,376.84**) of which twenty percent (20%) is borne locally and eighty-percent (80%) is borne by the Indiana Department of Transportation);

**Section 3.** That as any additional units of materials included in the original contract become needed, the cost of these units in this change order be the same as those shown in the original contract, all pursuant to IC 36-1-12-18(f);

**Section 4.** That the total of all change orders issued that increase the scope of this project may not exceed twenty percent (20%) of the amount of the original contract, that original being four million, one hundred forty-five thousand, seven hundred seventy-nine dollars and thirty-one cents (\$4,145,779.31) which may not exceed four million, nine hundred seventy-four thousand, nine hundred thirty-five dollars and seventeen cents (\$4,974,935.17) all pursuant to IC 36-1-12-18(d);

**Section 5.** That the proper officers hereby be and are authorized to execute the necessary documents with their signatures.

**Be it So Ordered.**

**DULY, PASSED and ORDERED BY** the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11<sup>th</sup> day of July 2011 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

**Attest:**

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. **Works Board Order No. 2011-25:** An Order Of The Town Council Authorizing And Approving An Indemnification Agreement, By And Between Town Of Highland, Lake County, Indiana, And Konnie Kuiper, Karen Kuiper, CAK Investments, LLC, Double K Properties, LLC, K And K And Cars And Carriages, LLC, And The Cornelius A. And Karen S. Kuiper Family Trust, Related To Use Of Certain Vehicles at Town Events.

Councilor Herak moved and Councilor Zemen seconded the passage and adoption of Works Board Order No. 2011-25. Upon a roll call vote, there were four affirmatives, no negatives and one abstention. With Councilors Zemen, Herak, Vasar and Novak voting in the affirmative and Councilor Kuiper abstaining, the motion passed. The order was adopted.

THE TOWN of HIGHLAND  
ORDER of the WORKS BOARD NO. 2011-25

AN ORDER of the TOWN COUNCIL AUTHORIZING and APPROVING AN INDEMNIFICATION AGREEMENT, by and between TOWN of HIGHLAND, LAKE COUNTY, INDIANA, and KONNIE KUIPER, KAREN KUIPER, CAK INVESTMENTS, LLC, DOUBLE K PROPERTIES, LLC, K AND K AND CARS and CARRIAGES, LLC, and THE CORNELIUS A. AND KAREN S. KUIPER FAMILY TRUST, RELATED TO USE OF CERTAIN VEHICLES AT TOWN EVENTS

**Whereas**, The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality as well as the works board all pursuant to IC 36-1-2 et seq., and

**Whereas**, Konnie Kuiper, Karen Kuiper, Cak Investments, LLC, Double K Properties, LLC, K and K and Cars and Carriages, LLC, and The Cornelius A. and Karen S. Kuiper Family Trust, dated 2003, hereinafter collectively referred to as "*Kuiper*" is the owner of certain motor vehicles and equipment, many of which are considered antiques, hereinafter referred to as "*Vehicles*";

**Whereas**, The Town on occasions borrows a Vehicle or Vehicles, for use by the Town in support of certain special events;

**Whereas**, Kuiper is desirous and willing to allow the Town to borrow said Vehicle or Vehicles, so long as Kuiper is indemnified by the Town from any liability incurred as a result of such use;

**Whereas**, Kuiper has requested and the Town is desirous and willing to indemnify Kuiper from any liability incurred as a result of the use of said Vehicle or Vehicles; and,

**Whereas**, The Town Council now desires to carry-out the requested indemnification herein described by adopting and approving the indemnification agreement as prepared by the Town Attorney,

**NOW, THEREFORE, BE IT HEREBY ORDERED** by the Town Council, of the Town of Highland, Lake County, Indiana:

**Section 1.** That the INDEMNIFICATION AGREEMENT made by and between **Konnie Kuiper, Karen Kuiper, Cak Investments, LLC, Double K Properties, LLC, K and K and Cars and Carriages, LLC, and The Cornelius A. and Karen S. Kuiper Family Trust, dated 2003**, and **Town of Highland, Lake County, Indiana**, a copy of which is attached and incorporated herein by reference, is hereby accepted and approved in all respects;

**Section 2.** That the proper officers of the Town of Highland are hereby authorized to execute the agreement approved by this order by affixing their signatures thereto, evidencing its acceptance and approval;

**Be it so Ordered.**

**DULY, PASSED and ORDERED** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11<sup>th</sup> day of July 2011 having passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

Brian J. Novak, President (IC 36-5-2-10)

**Attest:**

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

6. **Enactment No. 2011-26:** An Enactment to Approve Overtime Payments for Exempt Salaried Personnel as set forth in Section 3 of the Wage and Salary Ordinance, Waiving Section 2.01 of the Compensation and Benefits Ordinance, and Suspending Section 10 (e) (3) and (4) of Salary Ordinance in order to authorize a Particular Pay rate. (*Permits Commander R. Potesta to be paid at rate of \$44.13 per hour for patrol time.*)

Councilor Herak introduced and moved the consideration at the same meeting of introduction of Enactment No. 2011-26. Councilor Kuiper seconded. Upon a roll call vote, a

unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment could be considered.

Councilor Herak moved the passage and adoption at the same meeting of introduction of Enactment No. 2011-26. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment was adopted at the same meeting of introduction.

Town of Highland  
ENACTMENT NO. 2011-26

**AN ENACTMENT TO APPROVE OVERTIME PAYMENTS FOR EXEMPT SALARIED PERSONNEL AS SET FORTH IN SECTION 3 of the WAGE AND SALARY ORDINANCE, WAIVING SECTION 2.01 of the COMPENSATION and BENEFITS ORDINANCE, and SUSPENDING SECTION 10 (E) (3) and (4) OF SALARY ORDINANCE IN ORDER TO AUTHORIZE A PARTICULAR PAY RATE.**

**WHEREAS**, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

**WHEREAS**, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

**WHEREAS**, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

**WHEREAS**, One Exempt Salaried Officer was authorized and directed to work a special detail, providing patrol by police car, unrelated to a special event, but rather undertaken as a particular law enforcement initiative;

**WHEREAS**, The current wage and salary ordinance provides for no particular rate for overtime worked for this, except as may be experienced under the terms of Section § 4.03.02 of the Compensation and Benefits Ordinance, which reads: *"Patrol Division Police Officers work on a twenty-four day work cycle beginning with the first day of the cycle on a 4 days on and 2 days off schedule with an 8.5 hour work day, 39.88 hour work week. Pursuant to the Fair Labor Standards Act (FLSA), the maximum number of hours to be worked prior to time and one-half compensation for overtime is 147 hours for the twenty-four day work cycle;*

**WHEREAS**, Absent action by the Town Council, the current language governing such pay for such an assigned detail, when worked by exempt salaried persons, is silent, and there is no guidance about what schedule or work cycle exempt salaried employees are subject to, since overtime pay is not regularly payable to exempt salaried employees; and,

**WHEREAS**, The Metropolitan Police Chief has recommended that the Town Council authorize for payments to be made to the particular exempt salaried personnel, to be based upon actual hours worked on the detail at a rate of 1.5 times the exempt salaried officer's base pay plus longevity; and,

**WHEREAS**, The Town Council now desires to act to permit the pay as recommended,

**NOW, THEREFORE, BE IT HEREBY ENACTED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the provisions of Section 10 (e) (3) of the Wage and Salary Ordinance as amended, particularly reading *"Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignment will be paid at 1.5 times the composite rate (base rate plus longevity rate) of the assigned officer for hours performing the special assignment, provided such rate is lawful and authorized under the terms of the supporting grant"*, shall be temporarily suspended and modified to permit an exempt salaried worker to **be paid at an overtime rate at 1.5 times the assigned officer's composite (Commander) rate for work NOT supported by a grant and for which a non-exempt officer would usually be assigned;**

**Section 2.** That the provisions of Section 10 (e) (4) of the Wage and Salary Ordinance as amended, particularly reading, *"No rate of pay may be fixed for any regular duty or special detail or described employment, regardless of the source of funds, that has not been authorized or provided for in this Wage and Salary Ordinance as amended in effect or the Compensation and Benefits Ordinance as amended and in effect,"* shall **be temporarily suspended** and waived for the purpose of permitting **R. Potesta, CID Commander**, to be paid at the hourly rate of **\$44.13** for the four (4) hours worked in uniform patrol duty in the **month of June 2011**, which is 1.5 times the calculated hourly rate plus longevity for the bi-weekly salary associated with the position of *Division Commander*, a senior administrative position;

**Section 3.** That under the terms of Section § 04.03.01 of the Compensation and Benefits Ordinance, which provides that *"exempt salaried employees will not receive overtime pay or compensatory time off, unless specifically authorized by the Town Council..."* and Section § 2.01 which identifies the position of Commander in the Police Department as an Exempt position under the terms of the FLSA, *thereby not eligible for overtime payments*, the adoption of this enactment shall be approval of overtime pay for the exempt salaried employee herein identified;

**Section 4.** That the forgoing action is limited to the instance herein described and the provisions of Section 10 of the Wage and Salary Ordinance and Sections § 2.01 and § 4 of the Compensation and Benefits Ordinance otherwise

remain in full force and effect, nor shall this approval and waiver be seen as predictive of any further authorizations or approval of such pay;

**Section 5.** That the Clerk-Treasurer shall have authority to implement within a reasonable time these provisions regarding wage changes occurring between the effective dates set forth retroactively in this ordinance, if any, and the date of its passage and adoption.

Introduced and Filed on the 11<sup>th</sup> day of July 2011. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 11<sup>th</sup> day of July 2011, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

**Attest:**

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

7. **Enactment No. 2011-27:** An Enactment to Approve Unpaid Leave Time for a Worker, Suspending Section § 5.09 of the Compensation and Benefits Ordinance, which provides that no worker may take unpaid leave of less than five days increments and without first exhausting all other compensable (paid) leave time. (Permits T. Porter to take unpaid leave time without using any unused paid leave time to volunteer for "Meals in Wheels.")

Councilor Zemen introduced and moved the consideration at the same meeting of introduction of Enactment No. 2011-27. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment could be considered.

Councilor Zemen moved the passage and adoption at the same meeting of introduction of Enactment No. 2011-27. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment was adopted at the same meeting of introduction.

**TOWN OF HIGHLAND  
ENACTMENT NO. 2011-27**

**AN ENACTMENT TO APPROVE UNPAID LEAVE TIME FOR A WORKER, SUSPENDING SECTION § 5.09 OF THE COMPENSATION AND BENEFITS ORDINANCE, WHICH PROVIDES THAT NO WORKER MAY TAKE UNPAID LEAVE OF LESS THAN FIVE DAYS INCREMENTS AND WITHOUT FIRST EXHAUSTING ALL OTHER COMPENSABLE (PAID) LEAVE TIME. (PERMITS T. PORTER TO TAKE UNPAID LEAVE TIME WITHOUT USING ANY UNUSED PAID LEAVE TIME TO VOLUNTEER FOR "MEALS IN WHEELS.").**

**WHEREAS**, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

**WHEREAS**, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

**WHEREAS**, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

**WHEREAS**, One full-time hourly worker associated with the Public Works Department (Agency), would consume compensatory time and expend it, one-day a month to volunteer for *Meals on Wheels*;

**WHEREAS**, The Public Works Director reports that his department (agency) no longer permits its full-time hourly workers to accrue compensatory time, and having exhausted his bank of compensatory time, this same full-time hourly worker associated with the Public Works Department (Agency), still seeks to be absent one a day a month to volunteer for *Meals on Wheels*, and wishes to do so without consuming any existing vacation time, or personal business days he may have accrued but not yet used;

**WHEREAS**, The current compensation and benefits ordinance provides under the terms of Section § 509, in pertinent part: "*Uncompensated leaves of absence must be for at least five (5) days but may not exceed thirty (30) days and are made with the written permission of the Department Head. The Town Council shall be notified of all granted leaves of absence.*"

**WHEREAS,** The current compensation and benefits ordinance further provides under the terms of Section § 5.09, in pertinent part: *"No uncompensated leave of absence will be granted if any of your vacation time, compensation time, or personal business days remains and, if granted, you will not be paid for any holidays which fall on dates covered by your leave."*

**WHEREAS,** The Public Works Director, now requests that the relevant provisions of the Compensation and Benefits Ordinance be suspended, Mr. Tom Porter, a Pump Station Operator, be authorized to take one day a month as unpaid leave, without first consuming any vacation time or personal business days he may have accrued but not yet used and that this authorization to be retroactive to the period he may have taken non paid days following the exhaustion of his compensation time;

**WHEREAS,** The Town Council now desires to act to permit the unpaid leave and other terms as requested by the department head,

**NOW, THEREFORE, BE IT HEREBY ENACTED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the provisions of Section §5.09 of the Compensation and Benefits Ordinance as amended, particularly reading in pertinent part: *"No uncompensated leave of absence will be granted if any of your vacation time, compensation time, or personal business days remains and, if granted, you will not be paid for any holidays which fall on dates covered by your leave,"* is hereby temporarily suspended and modified to permit a qualified worker to take unpaid leave time without first exhausting all or any of existing vacation time, compensation time or personal business days, (paid time off), subject to the authorization of the proper department head;

**Section 2.** That the action set forth and approved in Section 1 of this enactment will formally permit *Tom Porter, a Pump Station Operator, associated with the Public Works Department (agency),* to be authorized to take one day per month as unpaid leave in order to participate as a volunteer in the *Meals on Wheels Program*, subject to written conditions prepared and issued by the Public Works Director, which terms are adopted by reference;

**Section 3.** That the suspension of certain provisions and approvals set forth in this enactment are hereby authorized retroactively from any and all time that worker leave was taken following exhaustion of any compensatory time by the qualified worker, including any unpaid paid leave taken before adoption of this enactment, all ratified and approved pursuant to IC 36-1-4-16;

**Section 4.** That the suspension of certain provisions and approvals set forth in this enactment extend to July 1, 2012, at which time the terms of this enactment will expire, unless authorized by a adoption of a new enactment;

**Section 5.** That the forgoing action is limited to the instance herein described and the provisions of Section §5.09 of the Compensation and Benefits Ordinance otherwise remain in full force and effect;

**Section 6.** That, pursuant to IC 36-5-6-6(4), the Clerk-Treasurer shall have authority to prescribe the manner in which such unpaid leave shall be documented and recorded in payroll documents.

Introduced and Filed on the 11<sup>th</sup> day of July 2011. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED, ENACTED and ADOPTED** this 11th day of July 2011, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

**Attest:**

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

8. **Enactment No. 2011-28:** An Enactment to Authorize and Approve payment to a former Appointed Officer of the Municipality, who located an undeposited and unnegotiated payroll check, made in consequence of his service as an appointed Officer, which cannot be honored under terms of Indiana Law.

Councilor Zemen introduced and moved the consideration at the same meeting of introduction of Enactment No. 2011-28. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment could be considered.

Councilor Zemen moved the passage and adoption at the same meeting of introduction of Enactment No. 2011-28. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote

being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment was adopted at the same meeting of introduction.

THE TOWN of HIGHLAND  
ENACTMENT NO. 2011-28

AN ENACTMENT TO AUTHORIZE AND APPROVE PAYMENT TO A FORMER APPOINTED OFFICER OF THE MUNICIPALITY, WHO LOCATED AN UNDEPOSITED AND UNNEGOTIATED PAYROLL CHECK, MADE IN CONSEQUENCE OF HIS SERVICE AS AN APPOINTED OFFICER, WHICH CANNOT BE HONORED UNDER TERMS OF INDIANA LAW.

**WHEREAS**, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

**WHEREAS**, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

**WHEREAS**, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

**Whereas**, Mr. James Alexanderson, who served as a member of the Municipal Plan Commission, from January 1999 until the first Monday in January 2003, discovered an undeposited and unnegotiated payroll check, made in consequence of his service as a Plan Commissioner, dated March 26, 1999, in the net amount of one hundred four dollars and three cents (\$104.03); and

**Whereas**, Mr. James Alexanderson, did present the check to the Clerk-Treasurer and the Town Council, asking that the check be honored if possible;

**Whereas**, The Clerk-Treasurer has advised the Town Council and Mr. Alexanderson, that the check (warrant) is in fact void, pursuant to the terms of IC 5-11-10.5-2, which reads: "*All warrants or checks drawn upon public funds of a political subdivision that are outstanding and unpaid for a period of two (2) or more years as of the last day of December of each year are void. No individual, bank, trust company, building and loan association, or any other financial institution may honor, cash, or accept for payment or deposit any such warrant or check which may be presented for payment and which has been issued and outstanding for a period of two (2) or more years as of the last day of December of any year;*"

**Whereas**, Under its authority of IC 36-1-3, The Town passed and adopted Section §33.03 of the Highland Municipal Code which provides in pertinent part that the Town Council is authorized to budget and appropriate funds from the general fund of the town to pay the expenses incurred in promoting the best interests of the town and that such expenses may include, but not necessarily be limited to those incurred in developing relations with other units of government or any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the Town; and

**Whereas**, The Town Council has reviewed the matter, and in the interest of goodwill, comity and in the interest of of Town, now desires to make an elective payment to James Alexanderson;

**Now Therefore Be it hereby Enacted** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the Town Council hereby finds and determines:

(A) That Mr. James Alexanderson, 9340 Erie Street, Highland, who served as a member of the Municipal Plan Commission, from January 1999 until the first Monday in January 2003, did discover an undeposited and unnegotiated payroll check, made in consequence of his service as a Plan Commissioner, dated March 26, 1999, in the net amount of one hundred four dollars and three cents (\$104.03), which he did present to the Town in the hope that it could be honored;

(B) That pursuant to the terms of IC 5-11-10.5-2, the check (warrant) presented may not be honored as it became void effective after December 31, 2001;

**Section 2.** That in the interest of goodwill, comity, and community relations, the Town Council now authorizes and approves the issuance of a check (warrant), drawn upon the proper fund and account, an elective contribution in the amount of one hundred four dollars and three cents (\$104.03);

**Section 3.** That the Town Council hereby further finds and determines that such an expense promotes the best interests of the town, is an expression of goodwill and comity, is an *elective measure* of the legislative body and should not be construed as an action that is in response to any express provision of statute and is a lawful fully elective and singular expense, not creating a precedent or creating any duty;

**Section 4.** That the Town Council directs that before the check or warrant authorized by this enactment be presented or remitted to Mr. Alexanderson, that he be required to sign an appropriate hold-harmless agreement as prepared by the Town Attorney;

**Section 5.** That the Clerk-Treasurer is hereby requested to prepare an accounts payable voucher against the appropriate fund and account on behalf of Mr. James Alexanderson in the amount herein named, and carry-out the purposes and provisions of this enactment.

Introduced and Filed on the 11<sup>th</sup> day of July 2011. Consideration on same day or at same meeting of introduction experienced a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED, ENACTED and ADOPTED** this 11<sup>th</sup> Day of July 2011 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

### **NEW BUSINESS**

Councilor Zemen moved to amend the agenda to permit consideration of the CGI Agreement to provide a Business enhanced service attached to the website. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The agenda was admended.

*Approval of CGI Communications Agreement for enhancing Website.* Councilor Zemen moved to approve the Three-year agreement for enhancement services to the Town Website, for no charge, instructing the Redevelopment Director to issue a letter of termination at the time of signing this agreement. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed The agreement was approved.

### **Comments from the Town Council Members (For the Good of the Order)**

- **Councilor Bernie Zemen:** • *Park and Recreation Board Liaison Lake County Solid Waste Management District Board of Directors • President's designee to Chair the Select Centennial Commission • Chamber of Commerce, Liaison • Redevelopment Commission Liaison.*

Councilor Zemen praised the persons associated with organizing the recent festival and parade commemorating Independence Day.

- **Councilor Mark Herak:** • *Budget and Finance Chair • Liaison to the Board of Waterworks Directors • Liaison to the Board of Sanitary Commissioners.*

Councilor Herak also commended all persons who organized and carried out the Community Special Event for Independence Festival and parade.

- **Councilor Dan Vassar:** • *Plan Commission, member.*

Councilor Vassar also commended all persons associated with the success of the recent Independence Festival and parade.

Councilor Vassar also encouraged persons to participate with Soccerpalooza August 13 at the Meadows, which is an event for special needs children.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison* • *Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Kuiper also commended all persons associated with the success of the recent Independence Festival and parade.

Councilor Kuiper recognized the Fire Chief who reported on recent down wire incidents to which the Fire force responded.

- **Councilor Brian Novak:** • *Advisory Board of Zoning Appeals, Liaison* • *Chairman, Board of Police Pension Trustees* • *Municipal Executive.*

Town Council President commented favorably on the recent Independence Festival and Parade and commended the Community Events Commission as organizers.

The Town Council President recognized the Building Commissioner, who offered a brief survey of matters before the Plan Commission and ABZA.

With leave from the Town Council, Councilor Herak and the Building Commissioner had a colloquy regarding the issues raised about the alley near 4th Place West and East on the North end, particularly with debris.

#### **Comments from the Public or Visitors**

1. Rick Volbrecht, 9221 Parkway Drive, Highland, noted that the Girls Tennis Team won the State Doubles Championship, and spoke of his project to send a post card to Highland residents to commend the achievement.
2. Ms. Lydia Lopez, 9007 O'Day Drive, Highland, reported that a dog in the neighborhood had vicious propensities which she had reported, expressing disappointment with the protracted time period for response. She expressed disappointment with police department and how she perceived her complaints had been treated.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public or visitors, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period June 28 , 2011 through to July 11, 2011 as well as the Payroll Docket of June 17, 2011. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors and payroll were allowed and the clerk-treasurer was authorized to make payment.

#### **Vendors Accounts Payable Docket:**

**General Fund, \$262,515.81; Motor Vehicle Highway and Street (MVH) Fund, \$20,277.02; Local Road and Street (LRS) Fund, \$1,579.91; Law Enforcement Cont. Education and Supply Fund, \$1,207.63; Flexible Savings Agency (FSA) Fund, \$464.80; Insurance Premium Fund, \$131,250.12; Information and Communications Technology Fund, \$5,142.71; Civil Donation Fund, \$1,282.67; Special Events Non Reverting Fund, \$687.25; Municipal Cumulative Capital Development Fund, \$42,456.98; Traffic and Law Violations Agency Fund, \$4,392.50; Municipal Cumulative Street Fund, \$1,795.00; Sexual Predator Grant Fund, \$4,400.00; Corporation Capital Fund, \$7,000.32; Payroll Fund, \$4.38; Total: \$484,457.10.**

#### **June 17 Payroll Payable Docket:**

**Council, Boards and Commissions, \$10,312.72; Office of the Clerk-Treasurer, \$12,539.94; Metropolitan Police Department: \$115,364.03; Building and Inspection: \$7,210.12; Public Works Department (Agency), \$55,039.79; Fire Department, \$3,060.05; Police Pensions, \$58,256.41; Total: \$261,783.06.**

**Adjournment.** Councilor Zemen moved that the plenary meeting be adjourned. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The regular meeting of the Town Council of Monday, July 11, 2011 was adjourned at 8:02 O'clock p.m. There was no study session.

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer